

**RESPONSE UNDER 37 C.F.R. § 1.116**  
**EXPEDITED PROCEDURE REQUESTED**  
**EXAMINING GROUP 3696**  
**PATENT**

Attorney Docket No. 05793.3065-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:	)	
	)	
Keira Brooke Bard et al.	)	Group Art Unit: 3696
	)	
Serial No.: 09/880,777	)	Examiner: Ojo Oyebisi
	)	
Filed: June 15, 2001	)	Confirmation No.: 7834
	)	
For: SYSTEM AND METHODS FOR	)	
PROVIDING STARTER CREDIT	)	
CARD ACCOUNTS	)	

**Mail Stop AF**  
Commissioner for Patents  
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Alexandria, VA 22313-1450

Sir:

**AMENDMENT AFTER APPEAL PURSUANT TO 37 C.F.R. § 41.33**

This Amendment is being filed subsequent to a Notice of Appeal filed November 16, 2007, an Appeal Brief filed June 3, 2008, and an Examiner's Answer mailed February 4, 2009. Applicants propose that this application be amended as follows so as to reduce the issues for appeal:

**Amendments to the Claims** are reflected in the listing of claims in this paper.

**Remarks** follow the amendment section of this paper.

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions and listings of claims in the application:

1-29. (Canceled)

30. (Previously Presented) A system for providing a starter credit account, comprising:

a credit issuer for providing credit accounts including a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters that are more favorable than the starter credit account parameters, wherein the starter credit account is provided to a trial customer who is not eligible to obtain the standard credit account, the credit issuer comprising:

a monitor process for monitoring the starter credit account to determine whether the trial customer has met predetermined criteria associated with the starter credit account during a trial period and adjusting the starter credit account parameters based on the determination;

a trial period modifying process for modifying the duration of the trial period based on activities associated with the starter credit account;

a first memory for storing credit account information associated with standard credit account customers of the credit issuer; and

a second memory for storing starter credit account information associated with the trial customer,

wherein the credit issuer loads the starter credit account information stored in the second memory into the first memory after the starter credit account parameters associated with the starter credit account have been adjusted based on the determination.

31. (Original) The system of claim 30, wherein the parameters includes a credit limit and the monitor process increases the credit limit when it is determined that the trial customer has met the predetermined criteria during the trial period.

32. (Original) The system of claim 30, wherein the parameters further includes an interest rate and the monitor process adjusts the interest rate when the trial customer has met the predetermined criteria.

33. (Original) The system of claim 30, wherein the parameters includes an interest rate and a credit limit and the monitor process reduces the credit limit and adjusts the interest rate when the trial customer has not met the predetermined criteria,

34. (Original) The system of claim 33 , wherein the credit limit is reduced to zero.

35. (Original) The system of claim 30, wherein the monitor process restarts the trial period and when the trial customer has not met the predetermined criteria, and resumes monitoring the starter credit account to determine whether the trial customer has met the predetermined criteria during the restarted trial period.

36. (Original) The system of claim 30, wherein the credit issuer further comprises:

a target customer process for determining a group of customers who are not eligible to obtain the standard credit account; ranking the group of customers based on each customer's credit profile, wherein the trial customer is included in the group of ranked customers, and

wherein the monitor process adjusts the starter credit account parameters associated with the starter credit account based on the ranking of the trial customer.

37-46. (Canceled)

47. (Previously Presented) A computer-readable medium including instructions for performing a method, when executed by a processor, for providing a credit account to a customer of an account issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters, the method comprising:

receiving a request for the standard credit account from the customer;

providing a starter credit account in place of the standard credit account to the customer;

monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria;

modifying the duration of the trial period based on the monitored customer's activities associated with the starter credit account; and

upgrading at least one of the starter credit account parameters to match at least one of the standard credit account parameters when the customer has satisfied the predetermined criteria.

48. (Original) The computer-readable medium of claim 47, wherein the starter credit account parameters include at least a starter credit limit, and wherein monitoring the customer's activities comprises:

determining whether the customer has an outstanding balance associated with the starter credit limit; and

determining whether the customer has made a payment toward the outstanding balance.

49. (Original) The computer-readable medium of claim 48, wherein determining whether the customer has made a payment further comprises:

determining whether the customer has made the payment within an acceptable period of time.

50. (Original) The computer-readable medium of claim 47, wherein upgrading at least one of the starter credit account parameters comprises:

increasing a starter credit limit associated with the starter credit account when the customer has satisfied the predetermined criteria.

51. (Original) The computer-readable medium of claim 47, wherein upgrading at least one of the starter credit account parameters comprises:

increasing a starter credit limit associated with the starter credit account and adjusting an interest rate associated with the starter credit account when the customer has satisfied the predetermined criteria during the trial period.

52. (Original) The computer-readable medium of claim 51, wherein the predetermined criteria includes at least one of making a predetermined number of consecutive on time payments, and not exceeding the starter credit limit.

53. (Original) The computer-readable medium of claim 47, wherein the step of upgrading at least one of the starter credit account parameters is replaced with:

downgrading at least one of the starter credit account parameters based on the monitoring.

54. (Original) The computer-readable medium of claim 53, downgrading further comprises:

determining that the customer has not met a predetermined criteria during the trial period based on the monitoring; and

restarting the trial period.

55. (Original) The computer-readable medium of claim 53, downgrading further comprises:

determining that the customer has not met a predetermined criteria during the trial period based on the monitoring;

preventing use of the starter credit account to purchase goods and/or services;

increasing an interest rate associated with the starter credit account; and

accessing penalty fees to the starter credit account.

56. (Previously Presented) A computer-readable medium including instructions for performing a method, when executed by a processor, for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters, the method comprising:

providing a starter credit account to a customer, wherein the customer is not eligible to receive a standard credit account;

monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria during the trial period;

notifying the customer of unsatisfied predetermined criteria during the trial period; and

modifying the starter credit account parameters based on the monitoring, wherein modifying includes upgrading at least one of the starter credit account parameters to match at least one of the standard credit account parameters when the customer has satisfied the predetermined criteria during the trial period.

57. (Original) The computer-readable medium of claim 56, wherein the starter credit account parameters include at least a starter credit limit, and wherein monitoring the customer's activities comprises:

determining whether the customer has an outstanding balance associated with the starter credit limit; and

determining whether the customer has made a payment toward the outstanding balance.

58. (Original) The computer-readable medium of claim 57, wherein determining whether the customer has made a payment further comprises:

determining whether the customer has made the payment within an acceptable period of time.

59. (Canceled)

60. (Original) The computer-readable medium of claim 56, wherein modifying the starter credit account parameters comprises:

increasing a starter credit limit associated with the starter credit account and adjusting an interest rate associated with the starter credit account when the customer has satisfied the predetermined criteria during the trial period.

61. (Original) The computer-readable medium of claim 60, wherein the predetermined criteria includes at least one of making a predetermined number of consecutive on time payments, and not exceeding the starter credit limit.

62. (Original) The computer-readable medium of claim 56, wherein the step of modifying the starter credit account parameters comprises:

downgrading at least one of the starter credit account parameters based on the monitoring.

63. (Original) The computer-readable medium of claim 62, downgrading comprises:

determining that the customer has not satisfied the predetermined criteria during the trial period based on the monitoring; and  
restarting the trial period.

64. (Original) The computer-readable medium of claim 62, downgrading comprises:

determining that the customer has not satisfied the predetermined criteria during the trial period based on the monitoring;

preventing use of the starter credit account to purchase goods and/or services;

increasing an interest rate associated with the starter credit account; and

accessing penalty fees to the starter credit account.

65. (Previously Presented) A computer-readable medium including instructions for performing a method, when executed by a processor, for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters, the method comprising:

determining a group of customers with existing credit histories who have not previously applied for the standard credit account and are eligible for the starter credit account, wherein the customers included in the group each have a credit profile that prevents the customers from obtaining the standard credit account;

ranking the customers included in the group;

providing a starter credit account to each customer included in the group, wherein parameters associated with each starter credit account vary based on the rank of each customer;

determining a trial period for each ranked customer;

determining, for each ranked customer, a predetermined criteria that the customer must satisfy for the starter credit account parameters to be upgraded; and

for each ranked customer:



determining whether the ranked customer has met the predetermined criteria during the trial period; and

upgrading the account parameters associated with the ranked customer based on the determination.

66. (Original) The computer-readable medium of claim 65, wherein adjusting the account parameters comprises:

increasing a credit limit associated with the starter credit account when the customer has met the predetermined criteria.

67. (Original) The computer-readable medium of claim 65, wherein adjusting the account parameters comprises:

adjusting an interest rate associated with the starter credit account when the customer has met the predetermined criteria.

68. (Original) The computer-readable medium of claim 65, wherein adjusting the account parameters comprises:

adjusting the account parameters to reflect parameters equivalent to parameters associated with the standard credit account when the customer has met the predetermined criteria.

69. (Original) The computer-readable medium of claim 65, wherein adjusting the account parameters comprises:

restarting the trial period when the customer has not met the predetermined criteria and based on the rank of the customer.

70. (Original) The computer-readable medium of claim 65, wherein adjusting the account parameters comprises:

preventing the starter credit account from being used to purchase goods and/or services when the customer has not met the predetermined criteria and based on the rank of the customer.

71. (Original) The computer-readable medium of claim 65, wherein ranking the customers included in the group comprises:

ranking the customers based on the credit profile of each customer included in the group.

72. (Original) The computer-readable medium of claim 65, wherein the predetermined criteria includes at least one of making a number of consecutive on-time payments, and not exceeding a credit limit associated with the starter credit account.

73. (Original) The computer-readable medium of claim 65, wherein determining whether the ranked customer has met the predetermined criteria during the trial period comprises:

determining at predetermined intervals within the trial period whether the customer has made a number of consecutive on-time payments associated with their respective starter credit account.

74. (Previously Presented) A computer-readable medium including instructions for performing a method, when executed by a processor, for providing credit accounts, the method comprising:

receiving a request from a customer for a first credit account associated with a first account parameters included a first credit limit and a first interest rate;

providing to the customer a second credit account associated with second account parameters including a second credit limit and a second interest rate, wherein the second credit limit is lower than the first credit limit;

notifying the customer of a third credit limit while the customer is provided the second credit limit, the notifying including information reflecting that the third credit limit

is obtainable by making a predetermined number of consecutive on time payments and wherein the third credit limit is higher than the second credit limit and lower than the first credit limit;

monitoring the second credit account to determine whether the customer has made the predetermined number of consecutive on time payments; and

changing the second credit limit to the third credit limit when it is determined that the customer has made the predetermined number of on-time payments associated with the second credit account.

75. (Original) The computer-readable medium of claim 74, wherein the third credit limit is based on a predetermined amount based on a number of on-time payments made by the customer.

76. (Original) A computer-readable medium including instructions for performing a method, when executed by a processor, for providing credit accounts, the method comprising:

receiving a request from a customer for a first credit account associated with a first account parameters included a first credit limit and a first interest rate;

providing to the customer a second credit account associated with second account parameters including a second credit limit and a second interest rate;

monitoring the second credit account to determine whether the customer has performed at least one of made a predetermined number of consecutive on time payments, and exceeded the second credit limit; and

changing the second interest rate to a third interest rate that is higher than the first interest rate, when it is determined that the customer has made the predetermined number of on-time payments associated with the second credit account.

77. (Previously Presented) A system for providing a credit account to a customer of an account issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with

standard credit account parameters more favorable than the starter credit account parameters, comprising:

means for receiving a request for the standard credit account from the customer;

means for providing a starter credit account in place of the standard credit account to the customer;

means for monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria;

means for modifying the duration of the trial period based on the monitored customer's activities associated with the starter credit account; and

means for upgrading at least one of the starter credit account parameters to match at least one of the standard credit account parameters when the customer has satisfied the predetermined criteria.

78. (Original) The system of claim 77, wherein the means for starter credit account parameters include at least a starter credit limit, and wherein the means for monitoring the customer's activities comprises:

means for determining whether the customer has an outstanding balance associated with the starter credit limit; and

means for determining whether the customer has made a payment toward the outstanding balance.

79. (Original) The system of claim 78, wherein the means for determining whether the customer has made a payment further comprises:

means for determining whether the customer has made the payment within an acceptable period of time.

80. (Original) The system of claim 77, wherein the means for upgrading at least one of the starter credit account parameters comprises:

means for increasing a starter credit limit associated with the starter credit account when the customer has satisfied the predetermined criteria.

81. (Original) The system of claim 77, wherein the means for upgrading at least one of the starter credit account parameters comprises:

means for increasing a starter credit limit associated with the starter credit account and adjusting an interest rate associated with the starter credit account when the customer has satisfied the predetermined criteria during the trial period.

82. (Original) The system of claim 81, wherein the predetermined criteria includes at least one of making a predetermined number of consecutive on time payments, and not exceeding the starter credit limit.

83. (Original) The system of claim 77, wherein the means for upgrading at least one of the starter credit account parameters is replaced with:

means for downgrading at least one of the starter credit account parameters based on the monitoring.

84. (Original) The system of claim 83, wherein the means for downgrading further comprises:

means for determining that the customer has not met a predetermined criteria during the trial period based on the monitoring; and

means for restarting the trial period.

85. (Original) The system of claim 83, wherein the means for downgrading further comprises:

means for determining that the customer has not met a predetermined criteria during the trial period based on the monitoring;

means for preventing use of the starter credit account to purchase goods and/or services;

means for increasing an interest rate associated with the starter credit account;  
and  
means for accessing penalty fees to the starter credit account.

86. (Previously Presented) A system for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters, comprising:

means for providing a starter credit account to a customer, wherein the customer is not eligible to receive a standard credit account;

means for monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria during the trial period;

means for notifying the customer of unsatisfied predetermined criteria during the trial period; and

means for modifying the starter credit account parameters based on the monitoring , wherein the means for modifying includes means for upgrading at least one of the starter credit account parameters to match at least one of the standard credit account parameters when the customer has satisfied the predetermined criteria during the trial period.

87. (Original) The system of claim 86, wherein the starter credit account parameters include at least a starter credit limit, and wherein the means for monitoring the customer's activities comprises:

means for determining whether the customer has an outstanding balance associated with the starter credit limit; and

means for determining whether the customer has made a payment toward the outstanding balance.

88. (Original) The system of claim 87, wherein the means for determining whether the customer has made a payment further comprises:

means for determining whether the customer has made the payment within an acceptable period of time.

89. (Canceled)

90. (Original) The system of claim 86, wherein the means for modifying the starter credit account parameters comprises:

means for increasing a starter credit limit associated with the starter credit account and adjusting an interest rate associated with the starter credit account when the customer has satisfied the predetermined criteria during the trial period.

91. (Original) The system of claim 90, wherein the predetermined criteria includes at least one of making a predetermined number of consecutive on time payments, and not exceeding the starter credit limit.

92. (Original) The system of claim 86, wherein the means for modifying the starter credit account parameters comprises:

means for downgrading at least one of the starter credit account parameters based on the monitoring.

93. (Original) The system of claim 92, wherein the means for downgrading comprises:

means for determining that the customer has not satisfied the predetermined criteria during the trial period based on the monitoring; and

means for restarting the trial period.

94. (Original) The system of claim 92, wherein the means for downgrading comprises:

means for determining that the customer has not satisfied the predetermined criteria during the trial period based on the monitoring;

means for preventing use of the starter credit account to purchase goods and/or services;

means for increasing an interest rate associated with the starter credit account;  
and

means for accessing penalty fees to the starter credit account.

95. (Previously Presented) A system for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters, comprising:

means for determining a group of customers with existing credit histories who have not previously applied for the standard credit account and are eligible for the starter credit account, wherein the customers included in the group each have a credit profile that prevents the customers from obtaining the standard credit account;

means for ranking the customers included in the group;

means for providing a starter credit account to each customer included in the group, wherein parameters associated with each starter credit account vary based on the rank of each customer;

means for determining a trial period for each ranked customer;

means for determining, for each ranked customer, a predetermined criteria that the customer must satisfy for the starter credit account parameters to be upgraded;

means for determining, for each customer, whether the ranked customer has met the predetermined criteria during the trial period; and

means for upgrading, for each customer, the account parameters associated with the ranked customer based on the determination.



96. (Original) The system of claim 95, wherein the means for adjusting the account parameters comprises:

means for increasing a credit limit associated with the starter credit account when the customer has met the predetermined criteria.

97. (Original) The system of claim 95, wherein the means for adjusting the account parameters comprises:

means for adjusting an interest rate associated with the starter credit account when the customer has met the predetermined criteria.

98. (Original) The system of claim 95, wherein the means for adjusting the account parameters comprises:

means for adjusting the account parameters to reflect parameters equivalent to parameters associated with the standard credit account when the customer has met the predetermined criteria.

99. (Original) The system of claim 95, wherein the means adjusting the account parameters comprises:

means for restarting the trial period when the customer has not met the predetermined criteria and based on the rank of the customer.

100. (Original) The system of claim 95, wherein the means for adjusting the account parameters comprises:

means for preventing the starter credit account from being used to purchase goods and/or services when the customer has not met the predetermined criteria and based on the rank of the customer.

101. (Original) The system of claim 95, wherein the means for ranking the customers included in the group comprises:

means for ranking the customers based on the credit profile of each customer included in the group.

102. (Original) The system of claim 95, wherein the predetermined criteria includes at least one of making a number of consecutive on-time payments, and not exceeding a credit limit associated with the starter credit account.

103. (Original) The system of claim 95, wherein the means for determining whether the ranked customer has met the predetermined criteria during the trial period comprises:

means for determining at predetermined intervals within the trial period whether the customer has made a number of consecutive on-time payments associated with their respective starter credit account.

104. (Previously Presented) A system for providing credit accounts, comprising:  
means for receiving a request from a customer for a first credit account associated with a first account parameters included a first credit limit and a first interest rate;

means for providing to the customer a second credit account associated with second account parameters including a second credit limit and a second interest rate, wherein the second credit limit is lower than the first credit limit;

means for notifying the customer of a third credit limit while the customer is provided the second credit limit, the notifying including information reflecting that the third credit limit is obtainable by making a predetermined number of consecutive on time payments and wherein the third credit limit is higher than the second credit limit and lower than the first credit limit;

means for monitoring the second credit account to determine whether the customer has made the predetermined number of consecutive on time payments; and

means for changing the second credit limit to the third credit limit when it is determined that the customer has made the predetermined number of on-time payments associated with the second credit account.

105. (Original) The system of claim 104, wherein the third credit limit is based on a predetermined amount based on a number of on-time payments made by the customer.

106. (Original) A system for providing credit accounts, comprising:  
means for receiving a request from a customer for a first credit account associated with a first account parameters included a first credit limit and a first interest rate;

means for providing to the customer a second credit account associated with second account parameters including a second credit limit and a second interest rate;

means for monitoring the second credit account to determine whether the customer has performed at least one of made a predetermined number of consecutive on time payments, and exceeded the second credit limit; and

means for changing the second interest rate to a third interest rate that is higher than the first interest rate, when it is determined that the customer has made the predetermined number of on-time payments associated with the second credit account.

107. (Previously Presented) A computer-readable medium including instructions for performing a method, when executed by a processor, for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters, the method comprising:

providing the starter credit account to the customer, wherein the customer is not eligible to receive the standard credit account;

monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria during the trial period;

modifying the starter credit account parameters based on the monitoring, the modifying including starting a second trial period and upgrading the starter credit account parameters if the customer has satisfied the predetermined criteria during the trial period;

further monitoring the customer's activities associated with the modified starter credit account parameters during the second trial period to determine whether the customer has satisfied second predetermined criteria during the second trial period; and

further modifying the modified starter credit account parameters based on the further monitoring.

108. (Original) The computer-readable medium of claim 107, wherein the second predetermined criteria is the same as the predetermined criteria.

109. (Original) The computer-readable medium of claim 107, wherein the second predetermined criteria is not the same as the predetermined criteria.

110. (Original) The computer-readable medium of claim 107, wherein modifying the starter credit account parameters based on the monitoring comprises:

increasing a credit limit associated with the starter credit account.

111. (Original) The computer-readable medium of claim 110, wherein further modifying the starter credit account parameters based on the further monitoring comprises:

further increasing the credit limit associated with the starter credit account.

112. (Previously Presented) A system for providing a credit account to a customer of a credit issuer that provides a starter credit account associated with starter

credit account parameters and a standard credit account associated with standard credit account parameters more favorable than the starter credit account parameters, comprising:

means for providing the starter credit account to the customer, wherein the customer is not eligible to receive the standard credit account;

means for monitoring the customer's activities associated with the starter credit account during a trial period to determine whether the customer has satisfied predetermined criteria during the trial period;

means for modifying the starter credit account parameters based on the monitoring, the modifying including starting a second trial period and upgrading the starter credit account parameters if the customer has satisfied the predetermined criteria during the trial period;

means for further monitoring the customer's activities associated with the modified starter credit account parameters during the second trial period to determine whether the customer has satisfied second predetermined criteria during the second trial period; and

means for further modifying the modified starter credit account parameters based on the further monitoring.

113. (Original) The system of claim 112, wherein the second predetermined criteria is the same as the predetermined criteria.

114. (Original) The system of claim 112, wherein the second predetermined criteria is not the same as the predetermined criteria.

115. (Original) The system of claim 112, wherein the means for modifying the starter credit account parameters based on the monitoring comprises:

means for increasing a credit limit associated with the starter credit account.

116. (Original) The system of claim 115, wherein the means for further modifying the starter credit account parameters based on the further monitoring comprises:

means for further increasing the credit limit associated with the starter credit account.

117-118. (Canceled)

119. (Previously Presented) The computer-readable medium of claim 47, wherein the step of providing a starter credit account in place of the standard credit account includes:

providing the starter credit account in response to the request for the standard credit account received from the customer.

120. (Previously Presented) The system of claim 77, wherein the means for providing a starter credit account in place of the standard credit account includes:

means for providing the starter credit account in response to the request for the standard credit account received from the customer.

**REMARKS**

By this Amendment, Applicants propose canceling claims 1-12, 14-28, 37-40, 42-46, 117, and 118 without prejudice or disclaimer of the subject matter contained therein. Accordingly, claims 30-36, 47-58, 60-88, 90-116, 119, and 120 will be pending upon entry of the claim amendments.

The Examiner's Answer mailed February 4, 2009 included a new grounds of rejection. Namely, method claims 1-12, 14-28, 37-40, 42-46, 117, and 118 were newly rejected under 35 U.S.C. § 101 (Examiner's Answer at pages 2-3). Although Applicants respectfully disagree with the rejection, Applicants propose to cancel claims 1-12, 14-28, 37-40, 42-46, 117, and 118 in order to reduce the number of issues and expedite the Appeal.

Applicants note that 37 C.F.R. § 41.33 provides that amendments filed on or after the filing of an Appeal Brief may be admitted to cancel claims, provided the cancellation does not affect the scope of any other pending claim. As the cancellation of claims 1-12, 14-28, 37-40, 42-46, 117, and 118 does not affect the scope of any of the remaining claims, Applicants submit that the Amendment should be entered. Accordingly, Applicants respectfully request that this Amendment under 37 C.F.R. § 41.33 be entered by the Examiner.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 19, 2009

By: William J. Brogan (BROGAN) Reg 43,515  
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